

### *AMENDMENTS TO THE CLAIMS*

This Listing of Claims will replace all prior versions, including listings, of claims in the application.

#### ***Listing of Claims***

Claim 1 (currently amended): A method for regenerating genetically modified plants of pine of the genus *Pinus* subgenus *Pinus* selected from the group consisting of Southern yellow pines and hybrids thereof, which comprises selecting transgenic embryogenic pine cells using a selection medium comprising a selection agent and an agent that regulates differentiation of embryos from embryogenic cells, said differentiation agent is selected from the group consisting of (i) abscisic acid (ABA), (ii) polyethylene glycol (PEG), (iii) a gelling agent in an amount between about 3% and about 5%, (iv) a gelling agent in an amount ~~or~~ between about 0.5% and about 1.5% and (v) combinations thereof and regenerating genetically modified plants from said selected transgenic embryogenic pine cells.

Claim 2 (original): The method of claim 1, wherein said Southern yellow pines are selected from the group consisting of *Pinus taeda*, *Pinus elliotii*, and *Pinus caribaea* and related pines.

Claim 3 (previously presented): The method of claim 1, wherein transformed pine cells are cultured using a medium comprising said selection agent and said differentiation agent to select said transgenic embryogenic pine cells.

Claim 4 (canceled).

Claim 5 (previously presented): The method of claim 1, wherein said differentiation agent is ABA.

Claim 6 (previously presented): The method of claim 1, wherein said differentiation agent is polyethylene glycol (PEG).

Claim 7 (previously presented): The method of claim 1, wherein said differentiation agent is a gelling agent introduced into the selection medium in an amount between about 3% and about 5%.

Claim 8 (original): The method of claim 7, wherein said gelling agent is gellan gum.

Claim 9 (canceled).

Claim 10 (previously presented): The method of claim 1, wherein said differentiation agent is a gelling agent introduced into the selection medium in an amount between about 0.5% and about 1.5%.

Claim 11 (original): The method of claim 10, wherein said gelling agent is gellan gum.

Claims 12-13 (canceled).

Claim 14 (previously presented): The method of claim 3, wherein said differentiation agent is ABA.

Claim 15 (previously presented): The method of claim 3, wherein said differentiation agent is polyethylene glycol (PEG).

Claim 16 (previously presented): The method of claim 3, wherein said differentiation agent is a gelling agent introduced into the selection medium in an amount between about 3% and about 5%.

Claim 17 (original): The method of claim 16, wherein said gelling agent is gellan gum.

Claim 18 (canceled).

Claim 19 (previously presented): The method of claim 3, wherein said differentiation agent is a gelling agent introduced into the selection medium in an amount between about 0.5% and about 1.5%.

Claim 20 (original): The method of claim 19, wherein said gelling agent is gellan gum.

Claim 21 (canceled).

Claim 22 (previously presented): The method of claim 1, wherein said selection is performed by  
culturing pine cells which have been subjected to transformation using a transformation medium comprising said differentiation agent;  
contacting said cells with a selection agent; and  
selecting transformed cells.

Claim 23 (original): The method of claim 22, wherein said selection agent is contained in a gel medium.

Claim 24 (previously presented): The method of claim 22, wherein said selection agent is contained in a layer and said cells are cultured on a support membrane placed over said layer which is placed on a gel medium.

Claim 25 (previously presented): The method of claim 24, wherein said layer is a liquid medium.

Claim 26 (original): The method of claim 24, wherein said layer is a filter paper with a liquid medium absorbed therein.

Claim 27 (original): The method of claim 24, wherein said support membrane is prepared from a material selected from the group consisting of polyester, polypropylene and a liquid permeable fluoropolymer fabric.

Claim 28 (previously presented): The method of claim 22, wherein said transformed cells are cultured on a gel medium comprising said differentiation agent.

Claim 29 (previously presented): The method of claim 28, wherein said differentiation agent is ABA.

Claim 30 (original): The method of claim 24, wherein said ABA is in said layer.

Claim 31 (previously presented): The method of claim 3, wherein said selection is performed by

culturing pine cells which have been subjected to transformation using a transformation medium comprising said differentiation agent;

contacting said cells with a selection agent; and

selecting transformed cells.

Claim 32 (original): The method of claim 31, wherein said selection agent is contained in a gel medium.

Claim 33 (previously presented): The method of claim 31, wherein said selection agent is contained in a layer and said cells are cultured on a support membrane placed over said layer which is placed on a gel medium.

Claim 34 (previously presented): The method of claim 33, wherein said layer is a liquid medium.

Claim 35 (original): The method of claim 33, wherein said layer is a filter paper with a liquid medium absorbed therein.

Claim 36 (original): The method of claim 33, wherein said support membrane is prepared from a material selected from the group consisting of polyester, polypropylene and a liquid permeable fluoropolymer fabric.

Claim 37 (previously presented): The method of claim 31, wherein said transformed cells are cultured on a gel medium comprising said differentiation agent.

Claim 38 (original): The method of claim 37, wherein said agent is ABA.

Claim 39 (original): The method of claim 33, wherein said ABA is in said layer.

Application No.: 09/973,089  
Amendment After Final Dated 18 January 2004  
Reply to Office Action of 17 November 2004

Claim 40 (original): The method of claim 22, wherein said transformation is transformation by *Agrobacterium*.

Claim 41 (previously presented): The method of claim 40 which further includes the eradication of *Agrobacterium* from pine cells subjected to *Agrobacterium* transformation following transformation.

Claim 42 (original): The method of claim 31, wherein said transformation is transformation by *Agrobacterium*.

Claim 43 (previously presented): The method of claim 42 which further includes the eradication of *Agrobacterium* from pine cells subjected to *Agrobacterium* transformation following transformation.

Claims 44-55 (canceled).